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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/716,397

11/20/2003

Katsuaki Akama

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07/24/2007

STAAS & HALSEY LLP

SUITE 700

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EXAMINER

GYORFI, THOMAS A

ART UNIT

PAPER NUMBER

2135

MAIL DATE

DELIVERY MODE

07/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/716,397

Applicant(s)

AKAMA, KATSUAKI

Examiner

Tom Gyorfi

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14 remain for examination. The amendment filed 4/23/07 amended claims 1-4 and 6-14.

Response to Arguments

2. Applicant's arguments filed 4/23/07 have been fully considered but they are not persuasive. Applicant argues, *"Contrastingly, in Teitelbaum, the Applicants believe that only the user who is communicating with a telephone is identified, and there is no change in the telephone itself (such as personal information) including the telephone number."* Examiner disagrees, noting that in at least one embodiment of the Teitelbaum invention, a hotel telephone system can be configured to use biometric information in a manner similar to the cellular phone embodiments previously identified (e.g. col. 8, lines 12-63). Once registered, a guest can use any phone, be it located in the guest's room or in the hotel lobby, and configure said phone to behave as the guest's personal phone line (col. 8, lines 20-35); further, as disclosed by Teitelbaum, this necessarily includes personal information such as, but not limited to, the user's personal voicemail account (col. 8, lines 50-57). It is also observed that the use of a specific phone number is associated with a specific biometric identity, for several reasons including billing, legal proceedings, police investigations, etc. (col. 9, lines 28-37); thus it follows that when a guest uses one of the public phones in the aforementioned hotel embodiment (col. 8, lines 25-35), said public phone will for at least the duration of the guest's use of said public phone will have the guest's phone number associated with it, as per the claim language and Applicant's argument above.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Teitelbaum (U.S. Patent 5,872,834).

Regarding claims 1, 7, and 11:

Teitelbaum discloses a method, program, and apparatus for registering the position of a terminal equipment, comprising: registering personal information for each user, the personal information linking a subscribed terminal number, a terminal subscriber identification number and user charging information to biological information of a user possessing the terminal equipment (col. 8, lines 64-67); receiving from the terminal equipment an authentication request containing the user biological information and the terminal subscriber authentication information (col. 7, lines 30-50); retrieving personal information having biological information matching the received biological information and of changing terminal subscriber information in the retrieved personal identification into the received terminal subscriber identification information (Ibid, and col. 8, lines 10-35); transferring the subscribed terminal number in the retrieved personal information and the received terminal subscriber identification information to an exchange and of requesting position information registration which enables call in and call out as a terminal equipment having the subscribed terminal number (Ibid; and col. 8, lines 50-57).

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Regarding claims 2, 8, and 12:

Teitelbaum further discloses notifying a terminal equipment which has been used so far of renouncement of its use when the position information is requested of the exchange which enables call in and call out as a terminal equipment having the subscribed terminal number based on the authentication of biological information from a new terminal equipment by the received authentication request, retrieved personal information, and the transferred subscribed terminal number (col. 8, lines 5-11 and also lines 20-35).

Regarding claims 3, 9, and 13:

Teitelbaum further discloses wherein the biological information received by the received authentication request is biological information read in real time into the terminal equipment (e.g. col. 8, lines 40-50).

Regarding claims 4, 10, and 14:

Teitelbaum further discloses wherein the personal identification management step includes registering charged user identification information of a specific person among group members as common charged user identification of a plurality of terminal equipments owned by group members such that the specific person is charged (col. 8, lines 10-35).

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Regarding claim 5:

Teitelbaum further discloses wherein the terminal equipment is a cellular phone (Figure 12, and col. 8, line 64 – col. 9, line 10).

Regarding claim 6:

Teitelbaum further discloses wherein the biological information is a fingerprint, venous vascular network, palm print, palm shape, facial image, ear shape, or iris (e.g. col. 4, lines 20-30).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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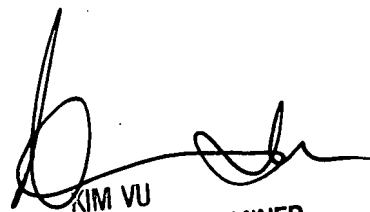
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849.

The examiner can normally be reached on 8:30am - 5:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TAG
7/17/07



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